

NO. 30262

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

HONOLULU POLICE DEPARTMENT, Petitioner,

vs.

THE HONORABLE MICHAEL A. TOWN, JUDGE OF THE CIRCUIT
COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I;
OBED K. KAY; and STATE OF HAWAI'I, Respondents.

ORIGINAL PROCEEDING
(CR. NO. 07-1-1315)

ORDER GRANTING PETITION FOR WRIT OF MANDAMUS
(By: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.)

Upon consideration of petitioner Honolulu Police Department's petition for a writ of mandamus filed on December 30, 2009 and the papers in support,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is granted. The Findings of Fact, Conclusions of Law, and Order Denying Movant Honolulu Police Department's Motion to Quash Subpoena Duces Tecum, entered on October 8, 2009 in Cr. No. 07-1-1315, State of Hawai'i vs. Obed K. Kay, is vacated. An opinion will follow.

DATED: Honolulu, Hawai'i, January 13, 2010.